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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERAL

Case No.	CV 08-6616 PSG (FFM)	Date	August 4, 2009
Title	John W. Williams v. California Department of Corrections & Rehabilitation, et al.		

Present:	The Honorable Philip S. Gutierrez, United States District Judge
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Wendy K. Hernandez	Not Present	n/a
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

Not Present

Not Present

Proceedings: (In Chambers) Order Denying Plaintiff's Request for Reconsideration

John W. Williams ("Plaintiff") is a prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action. On July 8, 2009, Magistrate Judge Mumm dismissed the majority of the claims in Plaintiff's third amended complaint for failure to state a claim. The order granted Plaintiff leave to file an amended complaint within 30 days. Plaintiff has filed objections to the ruling, which this Court construes as a request for reconsideration.

This Court will not disturb the magistrate judge's order unless it is clearly erroneous or contrary to law. *See* Fed. R. Civ. P. 72(a). "Under this standard of review, a magistrate's order is 'clearly erroneous' if, after considering all of the evidence, the district court is left with the definite and firm conviction that a mistake has been committed, and the order is 'contrary to law' when it fails to apply or misapplies relevant statutes, case law or rules of procedure." *Doe v. Schwarznegger*, No. 08-1219, 2009 WL 2251283, at *1 (E.D. Cal. July 28, 2009) (citation omitted). The district judge may not simply substitute his or her own judgment for that of the magistrate judge. *Grimes v. City & County of San Francisco*, 951 F.2d 236, 241 (9th Cir. 1991).

Having reviewed the magistrate judge's order, the Court finds that it is neither clearly erroneous nor contrary to established law. Plaintiff's disagreement with Magistrate Judge Mumm's decision is not grounds for relief from the order. Accordingly, Plaintiff's request for reconsideration is DENIED.

IT IS SO ORDERED.

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